

EXHIBIT 23

Thomas M. Milton

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Master File No. 1:00-1898
MDL No. 1358 (SAS)
M21-88

In re: Methyl Tertiary Butyl Ether,)
("MTBE") Products Liability Litigation)

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VIDEOTAPED DEPOSITION OF THOMAS M. MILTON

WASHINGTON, D.C.

March 30, 2007

The videotaped deposition of THOMAS M. MILTON
was convened on Thursday, March 30, 2007,
commencing at 9:01 a.m., at the offices of
McDermott Will & Emery, 600 Thirteenth Street,
N.W., 12th Floor, Washington, D.C. 20005, before
Paula G. Satkin, Registered Professional
Reporter and Notary Public.

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Job No. 1-100234

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1 A. I started in 1972. I was a field
2 engineer. My first field assignment was
3 Syracuse, New York. And basically I was
4 involved in supervising construction and
5 maintenance at service stations in the Syracuse
6 area.

7 Q. When you say "maintenance" can you
8 explain what -- the whole facility or was it
9 parts of the facility that you were --

10 A. It was the whole facility, ma'am.

11 Q. Would that include underground
12 storage tank systems?

13 A. Yes, ma'am, it would.

14 Q. As a field engineer responsible
15 for the construction and maintenance of the
16 service stations were you also involved in the
17 cleanup of facilities if there were accidents or
18 releases at those facilities?

19 A. If we had cleanups required that
20 was part of the job requirement also.

21 Q. You're no longer with Exxon Mobil;
22 is that correct?

23 A. I retired in July 2005.

24 Q. What was your position when you --

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1 prior to the merger with Exxon and Mobil?

2 A. Prior to the merger?

3 Q. Uh-huh.

4 A. I was manager of the Superfund
5 Response Group for Heritage Mobil within the
6 United States.

7 Q. And did you maintain that title
8 after the merger?

9 A. For one year after the merger I
10 was the manager of the Superfund Response Group
11 for Exxon Mobil Corporation.

12 Q. And what was your position when
13 you retired?

14 A. I was the manager of Global
15 Remediation for major projects on a worldwide
16 basis.

17 Q. What year did you become involved
18 with the remediation aspect at service stations?

19 A. For a number of years the
20 engineering position or engineering
21 responsibilities comprehended all service
22 station or bulk storage facility activities. It
23 could be construction, maintenance, remediation.
24 So basically when I first started with the

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1 company I would say 1972 I was first involved in
2 remediation activities.

3 Now, later on as the remediation
4 issues became larger we formed a separate group
5 that only did remediation.

6 Q. What year was that?

7 A. 1990.

8 Q. Were you involved in that
9 department as well?

10 A. In fact, I set up the department
11 for Heritage Mobil, established the framework
12 for it, the policies and procedures associated
13 with how the department was run. And today that
14 model is still being utilized by Exxon Mobil
15 Corporation.

16 Q. I'm sorry, did you say the name of
17 the department already?

18 A. Remediation Engineering.

19 MR. BONGIORNO: Can we maybe take
20 not a break, but a suspension of questioning to
21 get an appearance on the telephone?

22 Did someone just dial in.

23 MR. DiCHELLO: Yes. This is John
24 DiChello, D-I capital C-H-E-L-L-O, Blank Rome

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1 for Lyondell Chemical Company and Equistar
2 Chemicals, LP.

3 MR. BONGIORNO: Maybe I could
4 respectfully suggest since we now have folks on
5 the phone that counsel and the witness maybe
6 speak up a tiny bit. Otherwise we'll get
7 somewhat continual suggestions from people on
8 the phone that they can't hear us, so we'll try
9 to avoid that.

10 BY MS. SANCHEZ:

11 Q. Were you the manager or the head
12 of the Remediation Engineering Department that
13 you established with Heritage Mobil?

14 A. Yes, I was.

15 Q. What was the function of the
16 Remediation Engineering Department and its
17 responsibilities?

18 A. We managed and directed all
19 remediation activities at retail service
20 stations and distribution facilities in the
21 United States.

22 Q. In your career at Heritage Mobil
23 were you also a manager for service stations in
24 the New York area?

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1 A. In terms of remediation?

2 Q. Yes.

3 A. Yes, I was.

4 Q. Were you a manager of -- of
5 service stations in general in the New York area
6 at some point for Heritage Mobil?

7 A. I was the manager in terms of
8 engineering activities at some point in time,
9 yes, I was.

10 Q. Can you describe what you mean by
11 engineering activities?

12 A. Well, it dealt with the
13 maintenance, service station improvements,
14 service station construction, service station
15 cleanup, those activities.

16 Q. In your position as the
17 remediation engineering manager for Heritage
18 Mobil in the 1990s time frame did Mobil provide
19 training on the handling of gasoline containing
20 MTBE to its service stations?

21 MR. BONGIORNO: Objection, you can
22 answer.

23 THE WITNESS: Mobil provided
24 dealer training to all its dealers before you